



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/824,480      | 04/15/2004  | Han Jun Sung         | 1594.1365           | 6490             |

21171 7590 03/20/2006

STAAS & HALSEY LLP  
SUITE 700  
1201 NEW YORK AVENUE, N.W.  
WASHINGTON, DC 20005

EXAMINER

PAIK, SANG YEOP

ART UNIT

PAPER NUMBER

3742

DATE MAILED: 03/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

88

|                              |                                      |                                   |  |
|------------------------------|--------------------------------------|-----------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/824,480 | <b>Applicant(s)</b><br>SUNG ET AL |  |
|                              | <b>Examiner</b><br>Sang Y. Paik      | <b>Art Unit</b><br>3742           |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,5,7-13 and 16-23 is/are rejected.
- 7) ☒ Claim(s) 3,6,14 and 15 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>4/15/04</u> . | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Epperson et al (US 3,745,3030).

Epperson shows the cooker claimed including an outer casing (20), an inner casing (26), a heating unit (34) mounted to the inner casing, a grill unit (42) seat on the open top of the outer casing, and a frame (62) placed along the upper edges of the inner casing and the outer casing. Epperson further shows a housing (12) having a recess into which the cooker is seated therein. the outer casing further includes the wires provided between the inner and outer casing to the contact terminal or box (70) to supply the electricity to the heating unit.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4, 18, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Epperson et al (US 3,745,303) in view of Persinger et al (US 2,996,597).

Art Unit: 3742

Epperson shows the cooker claimed including a housing (12) having a recess into which the cooker is seated therein. However, Epperson does not show a heat reflecting plate provided on a side of the casing and supporting the heating unit.

Persinger shows a heat reflector plate (52G) with a heating unit supported thereon, and Persinger further shows that the reflector plate is attached to the casing with bolts that are provided through holes of the reflector plate.

In view of Persinger, it would have been obvious to one of ordinary skill in the art to adapt Epperson with a heat reflector plate to direct the heat radiation from the heater unit toward the heating surface.

5. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Epperson in view of Persinger as applied to claims 4, 18, and 22 above, and further in view of Hawes (US 2,948,773) or Weber (US 2,542,442).

Epperson in view of Persinger shows the cooker claimed except the claimed elastic piece fitted over the projection at the back surface.

Hawes and Weber show an elastic piece provided at the surface of a mount wall that securely attaches and insulates a projection such as an electrical terminal or tube that goes through the wall.

In view of Hawes or Weber, it would have been obvious to one of ordinary skill in the art to adapt Epperson, as modified by Persinger, with an elastic piece provided at the back surface of the heat reflecting plate to more securely attach and insulate the projecting end portion of the heating unit (51 of Persinger) which goes through the back side of the heat reflecting plate.

Art Unit: 3742

6. Claims 9, 11, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Epperson in view of Persinger as applied to claims 4, 18, and 22 above, and further in view of Nouveleot et al (US 5,603,255) or Higgins (US 5,176,067).

Epperson in view of Persinger shows the cooker claimed except a grease collecting/heat reflecting unit.

Nouveleot or Higgins shows that it is well known in the art to provide a grill with a grease collecting pan to receive and collect the food grease or drippings. With respect to claim 11, Persinger further shows the grease collecting pan (74) that has the peripheral edges that can be used as the handles for the user to move the pan in a vertical direction to put the pan in and out of the casing.

In view of Nouveleot or Higgins, it would have been obvious to one of ordinary skill in the art to adapt Epperson, as modified by Persinger, with a grease collecting pan to better receive and contain the food grease or drippings to prevent mess and the grease pan would have been capable of reflecting heat as it is done with the claimed device.

7. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Epperson in view of Persinger, Nouveleot and Higgins as applied to claims 9, 11, and 23 above, and further in view of Dellrud et al (US 4,850,333).

Epperson in view of Persinger, Nouveleot and Higgins shows the cooker claimed except providing water to the grease collecting unit.

Dellrud shows a grease collecting unit with water contained therein. It would have been obvious to one of ordinary skill in the art to adapt Epperson, as modified by Persinger, Nouveleot

Art Unit: 3742

and Higgins, with the grease collecting unit with water contained therein to prevent further burning of the food grease.

8. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Epperson et al (US 3,745,303) in view of Hennick (US 5,189,945) or Wardell (US 6,431,164).

Epperson shows the cooker claimed except the claimed grilling pipes.

Hennick and Wardell show that it is well known in the art to having a grill with a plurality of grill pipes with water communicated in the grill pipes. Hennick and Wardell show that such grill pipes are easy to clean.

In view of Hennick or Wardell, it would have been obvious to one of ordinary skill in the art to adapt Epperson with the claimed grill pipes so that the grill can be easily cleaned after cooking.

9. Claims 13, 17, and 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Epperson in view of Persinger as applied to claims 4, 18, and 22 above, and further in view of Pickering et al (US 6,399,925) or White (US 4,431,892).

Epperson in view of Persinger shows the apparatus claimed except the outer casing having a contact terminal and the second contact terminal provided in the recess of the housing.

Epperson shows that the outer casing includes the wires provided between the inner and outer casing with the wires further connected to a contact terminal or junction box (70) to supply the electricity to the heating unit. Pickering or White shows that it is well known in the art to provide a first male terminal provided on the outer casing of a modular cooker which is inserted into a recess of a housing having a female second contact to engage with the first terminal to provide power to the heating unit.

Art Unit: 3742

In view of Pickering or White, it would have been obvious to one of ordinary skill in the art to adapt Epperson, as modified by Persinger, with the claimed first and second contact terminals to conveniently provide for the power supply to the heating unit.

10. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Epperson et al (US 3,745,303) in view of Joseph (US 2,903,549).

Epperson shows the cooker claimed except the claimed legs.

Joseph shows an inner casing with support members 33 extending from the bottom of the inner casing to the bottom of the outer casing.

In view of Joseph, it would have been obvious to one of ordinary skill in the art to adapt Epperson with the leg extending downwardly from the inner casing to the bottom of the outer casing to further ensure a space is created thereto so that the heating unit is further insulated from the outer casing and to more conveniently allow connecting wires to pass there-through.

***Allowable Subject Matter***

11. Claims 3, 6, 14, and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sang Y. Paik whose telephone number is 571-272-4783. The examiner can normally be reached on M-F (9:00-4:00) First Friday Off.

Art Unit: 3742

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robin Evans can be reached on 571-272-4777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

S. Paik

Sang Y Paik  
Primary Examiner  
Art Unit 3742

syp